1 2 3 4 5 6 UNITED STATES DISTRICT COURT 7 WESTERN DISTRICT OF WASHINGTON 8 DAVE ALEXANDERSON, a Washington Case No.: 2:13-cv-01764 resident, 9 **DECLARATION OF MURPHY EVANS IN** SUPPORT OF PLAINTIFF'S RESPONSE TO Plaintiff. 10 **DEFENDANT'S MOTION FOR SUMMARY JUDGMENT** 11 VS. 12 SCOTT LANGTON, in his individual capacity, and CITY OF BLAINE, a municipal 13 corporation, 14 **Defendants** 15 16 I, MURPHY EVANS, declare as follows, based on personal knowledge: 17 1. I am the attorney for the Plaintiff in the above-captioned matter. 18 2. Attached hereto as Exhibit 1 are true and correct copies of pages from the transcript 19 of the Deposition of Dave Alexanderson, which was taken in this matter on July 15th, 2014. 20 3. Attached hereto as Exhibit 2 are true and correct copies of pages from the transcript 21 of the Deposition of Vida Moore, which was taken in this matter on September 11th, 2014. 22 4. Attached hereto as Exhibit 3 are true and correct copies of pages from the transcript 23 of the Deposition of Scott Langton, which was taken in this matter on August 25th, 2014. 24 25

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DECLARATION OF MURPHY EVANS IN SUPPORT

OF PLAINTIFF'S RESPONSE TO DEFENDANT'S

MOTION FOR SUMMARY JUDGMENT-1

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- 5. Attached hereto as Exhibit 3A are true and correct copies of pages from the transcript of Alexanderson's criminal trial that took place in Blaine Municipal Court on February 6, 2012.
- 6. Attached to this Declaration as Exhibit 4 is a true and correct copy of Michael Scott Langton's resume, produced as Exhibit 1 in the Deposition of Scott Langton.
- 7. Attached to this Declaration as Exhibit 5 is a true and correct copy of the Blaine Police Department Incident Report.
- 8. Attached to this Declaration as Exhibit 6 is a true and correct copy of the citation for Resisting a Public Officer, produced as Exhibit 5 in the Deposition of Scott Langton.
- 9. Attached to this Declaration as Exhibit 7 is a true and correct copy of the Expert Report of Dr. Niles Roberts. Dr. Roberts' curriculum vitae is attached to his report.
- 10. Attached to this Declaration as Exhibit 8 is a true and correct copy of the Expert Report of former Seattle Police Chief Norm Stamper. Dr. Stamper's curriculum vitae is attached to his report.
- 11. Attached to this Declaration as Exhibit 9 is a true and correct copy of the text of Blaine Municipal Code 9.20.050, which defines the crime of disorderly conduct.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 17th day of November, 2014.

BROWNLIE EVANS WOLF & LEE, LLP

By: /s/ Murphy Evans

Murphy Evans, WSBA #26293

Attorneys for Plaintiff

DECLARATION OF MURPHY EVANS IN SUPPORT OF PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION FOR SUMMARY JUDGMENT-2 BROWNLIE EVANS WOLF & LEE, LLP 230 E. Champion Street Bellingham, WA 98225 Ph. (360) 676-0306 / F. (360) 676-8058